

1 this number is the right division, so when this -- now  
2 we're going to assign this number to this particular  
3 case"? Do you follow what I'm saying?

4 A I think I do.

5 Q So you could just stamp a blank piece of  
6 paper five times, you know, put those numbers in the  
7 computer --

8 A Oh, no.

9 Q -- wait until you get the right  
10 division --

11 A No'.

12 Q -- and then say, "Okay, we're going to  
13 assign this number to this case; we're going to assign  
14 this number to this case," because all that's in the  
15 computer is the case number?

16 A Right.

17 Q There's no plaintiff, no -- there's  
18 nothing to associate that number with a particular case  
19 until you actually physically stamp the pleadings with  
20 that number; is that correct?

21 A Okay.

22 Q Is that correct what I said?

23 A Okay. I think I follow you but it was  
24 kind of long.

25 Q I'm sorry.

1           A           But I will tell you how the numbers are  
2 assigned. It's like 2000 we start with number one.

3           Q           Right.

4           A           2000, number two. 2000 -- so you have  
5 these files, okay.

6           Q           Right.

7           A           So I'd pick up a file. It's got a number  
8 on it. I take in the pleadings. I guess I didn't  
9 follow your question.

10          Q           Okay, I'm sorry.

11          A           That's okay.

12          Q           I probably derailed there. I got off my  
13 track there. But if -- what I'm trying to say is if  
14 there's no information fed to the computer to spit out  
15 a division other than this case number --

16          A           Right.

17          Q           -- in other words, you put the case  
18 number in the computer, you don't put in the plaintiff  
19 or any of that other information?

20          A           Right, no, just a case number.

21          Q           So all the computer knows is that --

22          A           Is a number.

23          Q           -- this number goes to this division?

24          A           Right.

25          Q           You theoretically -- not you, but a

1 person theoretically --

2 A Right.

3 Q -- could just without even having any  
4 pleadings in front of you put ten numbers --

5 A No.

6 Q -- into the computer? Why couldn't you?

7 A Because I have a --

8 Q The computer doesn't know that you don't  
9 have the pleadings in front of you.

10 A Because there would be a big gap.

11 Q Well, no, because then when someone came  
12 in with a pleading you'd say, "Okay. The computer  
13 assigned --"

14 A Oh, someone holding numbers?

15 Q "-- the case number --" exactly, that's  
16 what I'm trying to say. The computer assigned this  
17 case number to Division A.

18 A Ooh, I wouldn't want to be that person  
19 (laughter).

20 Q This pleading is coming in, we're going  
21 to give this pleading this number --

22 A Right.

23 Q -- because the computer gave it the  
24 division that we're looking for, do you follow?

25 A I do follow you. But you're like right

1       there in the public eye. I mean --

2               Q       I'm just saying theoretically that's a  
3       possibility.

4               A       Pardon?

5               Q       I'm sorry, would they know what you were  
6       doing?

7               A       I would imagine so. You're feeding  
8       numbers and you're not --

9               Q       If I walked in I wouldn't be paying  
10      attention what you were stamping or --

11              A       And then you'd have to put those numbers  
12      with the division somewhere so that when somebody came  
13      in -- I don't know. That would be -- that --

14              Q       It's possible. It wouldn't be easy, but  
15      it's possible?

16              A       I suppose anything's possible, yes. Yes.

17              Q       Okay. Thank you.

18                      MR. HILL: I tell you what, we're going  
19      to have a lot of questions. If you will bear  
20      with me, Mr. Foreman, can we work it down? I  
21      see just one hand after another. Yes, sir.

22      BY GRAND JUROR:

23              Q       Okay. We understand the flow when the  
24      cases come in.

25              A       We understand what?

1 Q The flow of when the cases come in.

2 A Okay. Right.

3 Q You assign the number with the stamp.

4 You put it in the computer. It gives the case number.

5 A Right.

6 Q Now, I'm not an expert in legal  
7 proceedings because I don't have anything to do with  
8 it --

9 A Right.

10 Q -- and I'm very glad about that.

11 A Right.

12 Q But I do know that judges change cases or  
13 they will recuse themselves from cases --

14 A Right.

15 Q -- or whatever.

16 A Right.

17 Q What about after the fact, how are these  
18 case numbers changed or handled after the fact whenever  
19 there's a situation maybe a judge can't handle a case?  
20 Or there has to be some way of these things being  
21 changed after it's initially done. How is that done?

22 A Basically the same.

23 Q Is that through your -- what you do?

24 A Oh, God, yeah, but I don't personally do  
25 that. A judge recuses himself, I would imagine it's

1 just put right back into the system, the computer  
2 system, and it picks out another division again.

3 MR. HILL: Actually, don't they just  
4 rotate? If G has it now, doesn't H get it if  
5 there's a recusal? And --

6 THE WITNESS: No, no, no.

7 MR. HILL: -- back around to A?

8 THE WITNESS: No, it's randomly assigned  
9 again through the computer.

10 MR. HILL: Okay. You're sure?

11 THE WITNESS: Yes.

12 BY GRAND JUROR (resuming):

13 Q What if it comes back though to that same  
14 division, do you then --

15 A I guess then you'd hit the number again  
16 until you get, you know, another division.

17 Q So it is possible then to change the  
18 division when the case number is entered to not accept  
19 the division?

20 A Yeah, but that's not my job. That was  
21 that Gabby Mayor's job who does --

22 Q That's why I'm not getting -- that's why  
23 I'm not getting it, because I know that case numbers,  
24 cases get changed, judges get changed on cases.

25 A And you know the percentage of cases that

1 I filed was probably 20 percent, and not even 20  
2 percent of my time was spent in the office. I would be  
3 doing other -- other jobs besides assigning and --  
4 divisions to case numbers, I mean.

5 MR. HILL: It sounds --

6 BY GRAND JUROR (resuming):

7 Q Well, I wasn't referring specifically to  
8 you.

9 A I know, to me.

10 Q Just the system is what I was referring  
11 to.

12 A Yes. Yes.

13 FURTHER EXAMINATION

14 BY MR. HILL:

15 Q It sounds like it was almost flawless in  
16 your experience; every time you hit the button --

17 A Yeah.

18 Q -- you got a case number and that was it.

19 A I mean, because we used to do this  
20 manually before computers. We would have --

21 Q Drop the marble?

22 A No. No. We would have it, it would be  
23 on a piece of paper, divisions, and then as the people  
24 came in we would just assign them. But this was years  
25 ago before, way before the computers.

1 MR. HILL: Next question.

2 FURTHER EXAMINATION

3 BY GRAND JUROR:

4 Q One more time. So when you plug the case  
5 number into the computer --

6 A Number in, right.

7 Q -- it puts up a division.

8 A Right.

9 Q There is no option at that point for you  
10 to override or for you to, say, do it again?

11 A Me personally, no. I guess it could be  
12 taken to someone in the office and possibly override --

13 Q Someone else possibly. But as far as  
14 you --

15 A Yes.

16 Q -- the options you have available on your  
17 computer screen --

18 A Right, no.

19 Q -- there is no way to override that?

20 A No.

21 Q That machine that assigns, or whatever  
22 you said --

23 A And I should say -- excuse me. And I  
24 should say maybe without like a supervisor, you know,  
25 putting in their security code. I suppose it could be



1 done on my machine, but not just me doing it.

2 Q Not with your security sign-on?

3 A Right, it would be -- I think a  
4 supervisor would have to override that.

5 Q The thing that you set increments by one  
6 for the case numbers, this is kind of following up on  
7 her, can that stamp, can you actually move that up or  
8 down? Like, say, you're already at number five --

9 A Yes.

10 Q -- for 2000, can you go back --

11 A Manually, yes.

12 Q -- down to four?

13 A Yes.

14 Q So it's possible they could do some stuff  
15 like you're saying with the case numbers to play around  
16 to get it to come out right.

17 And you said that as far as you know  
18 there might be some permanent computer record that  
19 keeps track of the case numbers and the judges that  
20 were assigned, but you don't really know whether it  
21 exists?

22 A Right.

23 Q You're just assuming it exists.

24 A Yeah. I wasn't that computer literate in  
25 there.

1           Q       Do you know of anyone whose job  
2 responsibility it is to periodically audit or check and  
3 compare this permanent computer record to the --

4           A       Again --

5           Q       -- actual cases that got assigned?

6           A       -- I would think that it would be that  
7 Gabby Mayor that I suggested a couple months ago.

8           Q       Okay, that's it. Thank you.

9           A       Okay.

10                  MR. HILL: Any other questions in the  
11 back row? Yes, sir.

12 BY GRAND JUROR:

13           Q       The question is you had a relationship  
14 with Judge Bonanno. While that was going on, were you  
15 aware of other relationships going on in the  
16 courthouse --

17           A       No.

18           Q       -- with other people?

19           A       No.

20           Q       Nothing was mentioned --

21           A       No.

22           Q       -- in passing?

23           A       Huh-uh, no.

24                  MR. HILL: Yes, ma'am.

25 BY GRAND JUROR:

1           Q       Your relationship with Judge Bonanno, are  
2 you still involved?

3           A       No.

4           Q       Why?

5           A       Because, like I said, it wasn't going to  
6 go anywhere so --

7           Q       Meaning what, as far as into marriage  
8 or --

9           A       Yes.

10          Q       But now, you knew he was married, right?

11          A       Yes.

12          Q       So I guess what I don't understand, if  
13 you knew he was married, what makes you think that it  
14 was going to go any further?

15          A       Because he didn't think his marriage was  
16 going to last.

17          Q       Did he give you the impression that he  
18 was going to marry you at any point?

19          A       Yes.

20          Q       A ring? Did he buy you a ring or  
21 anything?

22          A       Yes, but not an engagement ring. But I  
23 mean, yes, he --

24          Q       Okay.

25                 MR. HILL: Other questions in the front

1 row? Yes, sir.

2 BY GRAND JUROR:

3 Q I think I have part of my answer already.  
4 But listening to you and you administratively give the  
5 sequence, fine. I was interested in her question.

6 Is there a log in that computer of  
7 what -- that has happened in that computer for the last  
8 year? Because then you would see certain cases  
9 reappearing and reassignments?

10 A And again, I'm not the one to ask.

11 Q You're right. Okay. But right now just  
12 anyone walking in here, it wouldn't have to be a Grand  
13 Juror, and say, "Yes, I'm in charge of assignments, and  
14 I used to have a little minor job of this case, not in  
15 law, though. This issue should not go to Party A, he  
16 can't handle it, she can't handle it, or she's -- her  
17 husband just died of cancer," you know, a thousand  
18 reasons why I could come to you and sort of say  
19 reassign this case. And quite valid, you know, "Hey,  
20 this guy is swamped over here. This guy, he's gone to  
21 play golf every day," so many reasons for manipulating  
22 the system in a very valid, open way. But, you know,  
23 there's a sinister side to it, too.

24 Now, sitting there can you tell us of  
25 where you, within your reassignment of cases, you saw a

1 certain pattern or trend of certain types of cases  
2 going to certain personality types, or case load being  
3 sort of pushed one way and skewed and what have you?  
4 Did you see any drift that caught your attention?

5 A No, I never paid that close attention.

6 GRAND JUROR: Okay. Thank you.

7 FURTHER EXAMINATION

8 BY MR. HILL:

9 Q I want to give you a chance to say  
10 anything that's on your mind. I don't want you to walk  
11 out and say, "Gosh, if I had had a chance I would have  
12 told them this."

13 A No.

14 MR. HILL: All right. Thank you for  
15 being here today.

16 THE WITNESS: Okay.

17 MR. HILL: I would remind you that  
18 anything and everything that's said here stays  
19 here. I will put you on notice that as you  
20 leave you'll probably see Judge Bonanno, and I  
21 would ask that you not stop to chat with him  
22 this morning.

23 THE WITNESS: Fine.

24 MR. HILL: And we will go from there.

25 THE WITNESS: Okay. Thank you.

1 GRAND JURORS: Thank you.

2 (The witness left the Grand Jury room.)

3 (Mr. Ralph Fernandez was duly sworn by

4 Alfred C. Thullbery, Assistant State Attorney.)

5 Whereupon,

6 ROBERT H. BONANNO,

7 was called as a witness, and being duly sworn by Alfred

8 C. Thullbery, Assistant State Attorney, was examined

9 and testified as follows:

10 DIRECT EXAMINATION

11 BY MR. HILL:

12 Q Good morning again to both of you.

13 A Morning.

14 Q Thank you for being here. It's  
15 important, nobody knows this better than you, that the  
16 court reporter hear everything and the folks in the  
17 corners hear everything. So, if I can get you to speak  
18 up, I need an audible response to everything.

19 A Nobody has ever accused me of not being  
20 able to hear it, so --

21 Q All right. Would you state your full  
22 name for the Grand Jury?

23 A Robert Henry Bonanno.

24 Q And you are accompanied today by counsel.

25 MR. HILL: Counsel, would you state your

1 full name?

2 MR. FERNANDEZ: Ralph Fernandez of Tampa.

3 BY MR. HILL (resuming):

4 Q Judge, you're currently serving in what  
5 capacity?

6 A I'm a Circuit Judge serving in the Civil  
7 Division, Division E, and I'm also Administrative Judge  
8 of the Civil Division.

9 Q How long have you been on the circuit  
10 bench?

11 A I've been a Circuit Judge since 1989.

12 Q And prior to that?

13 A I was a County Judge since '82.

14 Q All right, sir.

15 A I'm just finishing up 19 years.

16 Q Both at the county and circuit level has  
17 your arrival at the bench been by appointment or by an  
18 election?

19 A I was first appointed to the county bench  
20 by then Governor Bob Graham. And then I was appointed  
21 to the Circuit Court bench by then Governor Bob  
22 Martinez.

23 Q So you've never had a contested race?

24 A No. I've had elections but --

25 Q It's a humbling experience.